

**ORDER OF BUSINESS  
BOARD OF COUNTY COMMISSIONERS  
BOARD MEETING  
PALM BEACH COUNTY, FLORIDA**

**FEBRUARY 15, 2011**

**TUESDAY  
9:30 A.M.**

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
- 3. CONSENT AGENDA** (Pages 5 - 19)
- 4. PUBLIC HEARINGS - 9:30 A.M.** (Pages 20 - 21)
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve: the satisfaction of mortgage encumbering property owned by Pioneer Growers Cooperative. **SUMMARY:** This document will release the County's interest in a mortgage lien recorded in the official records of Palm Beach County, Book 19259, Page 1255, encumbering property owned by Pioneer Growers Cooperative to Palm Beach County and satisfy the promissory note secured by such mortgage. The Economic Development Office has determined that Pioneer Growers Cooperative met its contractual requirements by completing the redevelopment of the site and creating and maintaining nine (9) full time equivalent jobs over a period of 24 months and therefore recommends the release. District 6 (DW)
2. Staff recommends motion to receive and file: executed agreements with Muslet Brothers, Inc., received under the Palm Beach County Section 108 Avenue A Loan Program during FY2009-2010:
  - A) U.S. HUD Section 108 Loan Guarantee Program Variable/Fixed Rate Note in the maximum commitment amount of \$878,000 (B-07-UC-12-0004);
  - B) Section 108 Loan Program Agreement to grant financing in the amount not to exceed \$878,000 dated June 1, 2010;
  - C) Loan Agreement for construction of a new facility on certain property known as 301, 317 and 325 West Avenue A (the "Loan") in the principal amount of \$878,000 dated June 1, 2010;
  - D) Palm Beach County Section 108 Promissory Note in the principal amount of \$878,000 dated June 1, 2010;
  - E) Guaranty Agreement for Palm Beach County to make a loan in the total principal amount of \$878,000 dated June 1, 2010;
  - F) Environmental Indemnity Agreement for certain properties situated at 300, 301, 317 and 325 West Avenue A, Belle Glade, FL 33430 dated June 1, 2010;
  - G) Further Assurances to execute documents and assurances in connection with the closing of a loan in the amount \$878,000 dated June 1, 2010;
  - H) Old Republic National Title Insurance Company Issued Through Attorneys' Title Fund Services, LLC Mortgage Policy; Policy No. MPF-4055164; effective August 19, 2010 at 11:00 PM; Agent's File Reference 2009-203; Amount of Insurance: \$878,000;
  - I) Legal Opinion of Counsel, Harris Beach Attorneys At Law, for County issued to the Secretary of U.S. HUD; Note No. B-07-UC-12-0004 in the maximum amount of \$878,000 dated June 1, 2010;
  - J) Legal Opinion of Borrower's Counsel, Donia A. Roberts, P.A., to County and Harris Beach PLLC; a \$878,000 HUD Section 108 Loan to Muslet Brothers, Inc. dated June 1, 2010;
  - K) Letter of Commitment from Palm Beach County to Muslet Brothers, Inc. for a Section 108 Loan and Brownfield Economic Development Initiative (BEDI) Grant dated February 1, 2010;
  - L) Letter Request for Advance Payment from Palm Beach County to U.S. HUD in the amount of \$878,000 for Muslet Brothers, Inc. on June 2, 2010;

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

2. MOTION/TITLE CONTINUED

**M)** State of Florida Uniform Commercial Code Financing Statement Form recorded with the State of Florida September 1, 2010;

**N)** State of Florida Uniform Commercial Code Financing Statement Form recorded with the Palm Beach County Clerk & Comptroller August 19, 2010; and

**O)** Mortgage and Security Agreement (With Assignment of Leases and Rents) maximum principal indebtedness not to exceed \$878,000 recorded with the Palm Beach County Clerk & Comptroller August 19, 2010.

**SUMMARY:** In accordance with the County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. The contract agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator and his designee, the Assistant County Administrator, in accordance with Resolutions R2007-2307 and R2009-0725, and are now being submitted to the Board to receive and file. District 6 (DW)

B. CLERK & COMPTROLLER

- 1. **Staff recommends motion to approve:** Warrant List.
- 2. Staff recommends motion to approve: the following final minutes of the Board of County Commissioners' meetings:

<u>Meeting Type</u>	<u>Meeting Date</u>
Budget	July 12, 2010
Environmental Control Board	July 20, 2010
Regular	July 20, 2010
Workshop	September 28, 2010
Zoning	September 30, 2010
Environmental Control Board	October 19, 2010
Regular	October 19, 2010
Zoning	October 28, 2010
Workshop	November 30, 2010
Environmental Control Board	December 7, 2010
Regular	December 7, 2010
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Regular	December 21, 2010
Zoning	January 6, 2011
Environmental Control Board	January 6, 2011
Regular	January 11, 2011
Workshop	January 25, 2011

- 3. Staff recommends motion to approve: Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending Resolution No. R2010-0455, adopted on April 6, 2010, which authorized Palm Beach County (County) to enter into a Roadway Transfer Agreement R2010-0456 with the Florida Department of Transportation (FDOT) for the County to accept the transfer and maintenance responsibility of Church Street, from Okeechobee Boulevard to Old Okeechobee Road, a distance of 0.21 miles and Old Okeechobee Road, from Church Street to northwest of Australian Avenue, a distance of 0.46 miles, providing for execution of a revised Agreement to include a cultural resource assessment statement replacing Agreement R2010-0456 and providing for an effective date. **SUMMARY:** Adoption of this amending Resolution will authorize execution of the replacement Road Transfer Agreement with FDOT to include a cultural resource assessment statement. District 2 (PFK)
2. Staff recommends motion to adopt: a Resolution to approve a Construction Agreement with the Florida Department of Transportation (FDOT) for the construction of West Atlantic Avenue from west of Lyons Road to Starkey Road (Project). **SUMMARY:** Approval of this Construction Agreement is required to obtain authorization from FDOT to construct the Project. District 5 (MRE)
3. Staff recommends motion to approve: a Contract with Rosso Paving & Drainage, Inc. (Rosso), in the amount of \$355,662.56 for the construction of Lantana Road from High Ridge Road to Southbound I-95 (Project). **SUMMARY:** Approval of this Contract will allow Palm Beach County (County) to issue a Notice to Proceed to Rosso, a Palm Beach County company, to begin construction of the Project. The County's Small Business Enterprise (SBE) goal for the Project is 15% overall. The SBE participation committed for the Project by Rosso is 42%. District 3 (MRE)
4. Staff recommends motion to approve: a Budget Transfer of \$160,000 in the Capital Outlay Fund from Point Chosen Bridge Fender System Replacement to Garden Road Culvert. **SUMMARY:** Approval of this Budget Transfer of \$160,000 within the Capital Outlay Fund from Point Chosen Bridge Fender System Replacement to Garden Road Culvert will allow for replacement of the 44 year old Garden Road Bridge (Bridge), which is in an accelerated state of deterioration and needs to be completely replaced. However, it can be replaced with a culvert which will cost approximately half as much as a new bridge. The FY 2011 budget request included \$900,000 to replace the Point Chosen Fender System. However, only \$450,000 was approved for FY 2011. We have received two (2) recent quotes which exceed \$1 million to do the Point Chosen project. Therefore, it is not possible to initiate the project this year. Transferring \$160,000 to the Garden Road culvert project would enable the Department to replace the Bridge and the needed funds again will be requested for FY 2012 to replace the Point Chosen Bridge Fender System. Districts 6 & 7 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. **Staff recommends motion to approve:**

**A)** a Contract with Community Asphalt Corp. (Community), in the amount of \$3,887,306.04 for the construction of Northlake Boulevard over the Loxahatchee Slough (Project); and

**B)** Change Order No. 1 to deduct the amount of \$499,975 to the Contract with Community Asphalt Corp. (Community) for the construction of Northlake Boulevard over the Loxahatchee Slough (Project).

**SUMMARY:** Approval of this Contract will allow Palm Beach County (County) to issue a Notice to Proceed to Community, a Palm Beach County company, to begin construction of the Project. The County's Small Business Enterprise (SBE) goal for the Project is 15% overall. The SBE participation committed for the Project by Community is 23.31%. Approval of Change Order No. 1 is for deletion of City of West Palm Beach utility work, at the City's request. District 6 (MRE)

6. **DELETED**

7. **Staff recommends motion to approve:** Agreements with Alan Gerwig & Associates, Inc. (AGA), Bridge Design Associates, Inc. (BDA), and R. J. Behar & Company, Inc. (RJB), to provide the necessary professional services for structural engineering projects on a task order basis, for Palm Beach Countywide (County) projects, as required. **SUMMARY:** Approval of these agreements will provide the necessary professional services for structural engineering projects throughout the County for all user departments. At the option of the County, these agreements may be renewed annually for a period of one (1) year, with a maximum of two (2) renewals. AGA and BDA are Palm Beach County companies. RJB has an office in Palm Beach County. Countywide (PK)

8. **Staff recommends motion to approve:** Agreements with Brown & Phillips, Inc. (B&P), and Dennis J. Leavy & Associates, Inc. (DJL), to provide the necessary professional services for survey and mapping projects on a task order basis, for Palm Beach Countywide (County) projects, as required. **SUMMARY:** Approval of these agreements will provide the necessary professional services for survey and mapping projects throughout the County for all user departments. At the option of the County, these agreements may be renewed annually for a period of one (1) year, with a maximum of two (2) renewals. B&P and DJL are both Palm Beach County companies. Countywide (PK)



3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: Contract with Adoption by Shepherd Care totaling \$95,000 for the indicated activities, for the period October 1, 2010, through September 30, 2011, providing for "Choose Life" license plate funds. **SUMMARY:** Adoption by Shepherd Care meets the intent of Section 320.08058(29), Florida Statutes, which requires counties to distribute annual use fees from the sale of "Choose Life" license plates. Services provided are limited by the Statute and involve meeting the physical needs of pregnant women who are committed to placing their children up for adoption. The contract funding recommended in this item reflects part of the total funds received from the "Choose Life" license plate funds for the 2009 - 2010 fiscal year. A contract with Adoption by Shepherd Care was originally presented to the Board on December 7, 2010. The Board deferred action on the contract and directed staff to make additional contacts with other potential service providers in the community. Staff has identified one (1) agency that may have an interest in using some of the available funds. The proposed contract amount in this item has been reduced by \$50,000 to provide the opportunity for additional contract(s) with other entities. Countywide (TKF)
  
2. Staff recommends motion to approve: Use of Facility Agreement with First United Methodist Church of Jupiter-Tequesta to utilize the facility for operating a congregate meal site for the elderly, with no fixed expiration date. **SUMMARY:** This Agreement will enable the Division of Senior Services (DOSS) to operate a congregate meal site for the elderly in Jupiter-Tequesta at First United Methodist Church located at 815 East Indiantown Road, Jupiter at no cost to the County for space or energy usage. First United Methodist Church will recruit volunteers to operate the site. DOSS shall provide training for volunteers. All meals and necessary food related services and supplies shall be furnished by the County through its designated food service vendor, subject to the availability of funds. The estimated annual cost of the meals will be \$2,418, funded under the Older Americans Act grant in the amount of \$2,176.20 (90%) and \$241.80 (10%) in County match. The County's portion is included in the FY 2011 budget. Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)
  
3. Staff recommends motion to approve: Amendment No. 002 to standard agreement No. IA109-9500 (R2009-1479) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period May 1, 2009, through November 1, 2010, to increase the agreement amount by \$99,186.06 changing the rate to \$10.54, for a new total not to exceed \$573,685.06 retroactive to the beginning of the agreement, for the provision of senior nutrition services. **SUMMARY:** This Amendment increases funds by \$99,186.06 for a one (1) year period and is non-recurring. This Amendment is aligning the American Recovery and Reinvestment Act award with the actual expenditures in the program. The budget was administratively approved by the Office of Financial Management & Budget to be able to fully utilize the grant. The Amendment covers adjustments made during the contract year to align services with need. The reallocation of funds is due to unused dollars from the AAA's service providers and DOSS's need for services. An additional 533 seniors were served with this additional funding in Palm Beach County. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve: a Contract with CRS Associates, Inc. in the amount of \$1,374,947 for the Parking Garage Rehabilitation at Palm Beach International Airport (PBIA). **SUMMARY:** This project was advertised utilizing the County's competitive bid process. On November 18, 2010, eight (8) bids were received for the Parking Garage Rehabilitation at PBIA. Of the eight (8) bids, CRS Associates, Inc., a Broward County Company, has been identified as a responsible/responsive bidder with the lowest bid in the amount of \$1,374,947. Of the 8 bidders, only the fourth lowest bidder, at approximately \$164,000 higher than the lowest bid, was a Palm Beach County-based firm. In addition to the construction contract, project expenditures also include permitting fees and contingency funding in the amount of \$75,053 for a total project cost of \$1,450,000. The Small Business Enterprise (SBE) Goal for this project was established at 15%. CRS Associates, Inc. SBE participation is 15.77%. Florida Department of Transportation grant funding of \$725,000 (50%) and local funds of \$725,000 (50%) are being utilized to fund this project. Countywide (JCM)
2. Staff recommends motion to approve: Amendment No. 2 to the Construction Manager at Risk (CMR) Contract with The Morganti Group, Inc. for the Miscellaneous Repair, Replacement and Improvement Projects for Palm Beach County Department of Airports exercising the second one (1) year renewal option for the continuation of services, and to modify the language regarding the Office of Inspector General Ordinance Fee. **SUMMARY:** On May 20, 2008, the Board approved the CMR Contract with The Morganti Group, Inc., a Palm Beach County Company, for the Miscellaneous Repair, Replacement and Improvement Projects for Palm Beach County Department of Airports (R2008-0850). The Contract is for two (2) years with three (3) - one (1) year renewal options. Amendment No. 1 exercising the first one (1) year renewal option was approved by the Board on April 20, 2010 (R2010-0608). Approval of Amendment No. 2 will allow the County, at its sole discretion, to exercise the second one (1) year renewal option for the continuation of services provided under the CMR Contract. In addition, this Amendment will modify the contract to delete costs of the Office of Inspector General (OIG) Fee. The Small Business Enterprise (SBE) Goal for this contract was established at 15%. The total SBE contract participation to date including all tasks is 20.28%. Countywide (JCM)
3. Staff recommends motion to adopt: a Resolution establishing a standard form Agreement for One-Year Extension and Amendment of Airline-Airport Use and Lease Agreement (Amendment); authorizing the County Administrator or his designee to execute the standard form Amendment; providing for severability; and becoming effective upon adoption. **SUMMARY:** The Resolution establishes a standard form Amendment to the Airline-Airport Use and Lease Agreement (R2006-1906) and authorizes the County Administrator or his designee to execute the Amendment on behalf of the Board. The Amendment will be used to extend the term of the individual Airline-Airport Use and Lease Agreements entered into with the signatory airlines serving the Palm Beach International Airport (PBIA) for one additional year to September 30, 2012. Amendments may also include modifications to airline space as authorized by Resolution No. 2006-1906. The one (1) year extension will facilitate the negotiation and development of a new standard form Airline-Airport Use and Lease Agreement. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to approve: Amendment No. 2 to the Construction Manager at Risk (CMR) Contract with David Brooks Enterprises, Inc. for the Miscellaneous Repair, Replacement and Improvement Projects for Palm Beach County Department of Airports exercising the second one (1) year renewal option for the continuation of services, and to modify the language regarding the Office of Inspector General Ordinance Fee. **SUMMARY:** On May 20, 2008, the Board approved the CMR Contract with David Brooks Enterprises, Inc., a Palm Beach County Company, for the Miscellaneous Repair, Replacement and Improvement Projects for Palm Beach County Department of Airports (R2008-0848). The Contract is for two (2) years with three (3) - one (1) year renewal options. Amendment No. 1 exercising the first one (1) year renewal option was approved by the Board on April 20, 2010 (R2010-0607). Approval of Amendment No. 2 will allow the County, at its sole discretion, to exercise the second one (1) year renewal option for the continuation of services provided under the CMR Contract. In addition, this amendment will modify the contract to delete costs of the Office of Inspector General (OIG) Fee. The Small Business Enterprise (SBE) Goal for this contract was established at 15%. The total SBE contract participation to date including all tasks is 25.17%. Countywide (JCM)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: Amendment No. 3 to the Contract for External Auditing Services with McGladrey & Pullen LLP (R2006-1183) exercising the second and final renewal option for two (2) years, extending the Contract to April 30, 2013 in an amount not to exceed \$778,000 for each year. **SUMMARY:** On June 20, 2006 (R2006-1183), the Board entered into a contract with McGladrey & Pullen to provide external auditing services. The Contract was for a three (3) year period plus options for four (4) additional years. In February, 2009, the Board approved the first, two (2) year option period which will expire in April, 2011. All work under the contract thus far has been performed in a satisfactory manner and the External Auditor Selection Committee recommended the Contract be extended for the remaining two (2) year option period. The cost of the extension will be \$778,000 for each year, the same amount as the FY 2010 audit. The SBE participation remains 25% throughout the contract period. This Amendment also provides for the addition of language related to the Office of the Inspector General. McGladrey & Pullen is a national accounting firm with an office in Palm Beach County. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (Cont'd)

2. Staff recommends motion to approve:

**A)** Budget Amendment of \$23,245 in the \$115.8M General Obligation Taxable Refunding Bonds Tax-exempt Registered Coupon 2005 Debt Service Fund to set up an arbitrage rebate payment for FY 2011 and adjust balance brought forward and reserve of future debt service payments;

**B)** Budget Transfer of \$1,295,909 in the \$22.3M General Obligation Bonds 2006 Library Improvement District Capital Fund to set up an arbitrage rebate payment and adjust the reserve for arbitrage payments and reserve for new projects;

**C)** Budget Transfer of \$1,541,077 in the \$50M General Obligation Bonds 2006 Waterfront Access Capital Fund to set up an arbitrage rebate payment and adjust the reserve for future arbitrage payments and reserve for new projects; and

**D)** Budget Transfer of \$126,240 in the \$80.7M Revenue Bonds 2001 Convention Center Capital Fund to set up an arbitrage rebate payment and adjust the reserve for future arbitrage payments and reserve for improvement program.

**SUMMARY:** The County's arbitrage consultant, Integrity Public Finance Consulting, has completed the Rebate Analysis for the year ended September 30, 2010 for County bond issues. These Budget Amendments and Transfers set up the arbitrage payments that are due in FY 2011. Countywide (PFK)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: an Agreement with the City of Delray Beach (City) for Public Art Consulting Services for public art administrative services. **SUMMARY:** This Agreement provides for the provision of public art administrative services to the City, by FDO (Art in Public Places Program). The services are to be charged on an hourly basis at a cost of \$65/hr/person. In addition, the City shall pay for reimbursable expenses invoiced at the actual cost of expenditures incurred by the County. The term of this Agreement is for one (1) year from the date of execution by the County. The Agreement provides for five (5) options to renew each for a period of one (1) year if agreeable to both City and County. Through this Agreement, FDO will provide public art administrative services to the City, including but not limited to, project scope development, project promotion, artist selection, contract administration, project design, fabrication and installation, ribbon cutting ceremony coordination, public art master planning and educational workshops for the City's Public Art Advisory Board. (FDO Admin) District 4 (MJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to:

**A) approve** a Seventh Amendment to Lease Agreement (R2007-1722) with South Florida Water Management District (SFWMD) and Roth Farms, Inc., for Roth Farms to continue to farm 114.57 acres of land at 20 Mile Bend; and

**B) adopt** a Resolution finding that the Seventh Amendment to Lease Agreement with South Florida Water Management District and Roth Farms, Inc., is in the best interest of the County.

**SUMMARY:** The County and SFWMD own adjacent parcels of land at 20 Mile Bend that are leased by Roth Farms for sugar cane and row crops. The Seventh Amendment: (i) exercises the first of three renewal options of one (1) year each extending the term to February 25, 2012, with a three percent (3%) rent increase, (ii) updates the Lease Agreement to incorporate the Inspector General standard provision, and (iii) incorporates various wording changes requested by SFWMD. The revenues are shared on a pro rata basis between SFWMD (33.92%) and the County (66.08%). The annual rent is \$24,624.53 and the County will receive \$16,271.89. All other terms of the Lease Agreement remain in full force and effect. (PREM) District 6 (HJF)

3. Staff recommends motion to approve: Amendment Number Two to Lease Agreement (R96-984D) with the City of Delray Beach, Florida, for the County's continued operation of the Delray Head Start Center at an annual rate of \$1/year. **SUMMARY:** Since 1996 the County, on behalf of the Community Services Department Head Start Division, has leased approximately 1.0 acre of land located within Catherine Strong Park from the City of Delray Beach. Amendment No. 2 will extend the term for an additional four (4) years from July 23, 2011, to July 22, 2015, and provides four (4) - one (1) year extension options. The annual rent is \$1 a year, and the County will continue to reimburse the City for utility charges (FY11 reimbursement fees were \$4,928.58). The County has the right to terminate the Lease upon ninety (90) days prior written notice to City. (PREM) District 7 (HJF)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: Contract Amendment No. 2 (R2009-0109) with Sea to Shore Alliance, Inc. (a not-for-profit corporation) for manatee aerial survey services to increase the amount from \$114,755 to \$123,787 and extend the expiration date to May 31, 2011. **SUMMARY:** Aerial surveys for manatees were recommended in the Palm Beach County Manatee Protection Plan to identify current manatee distribution and abundance in Palm Beach County waters. Biweekly surveys have been underway since February 2009 and this Amendment will extend the work for two (2) months to enable data to be collected during a complete, typical winter season. Work is funded from the Manatee Protection Program. Countywide (SF)



3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

**A) approve** Contract with Shoreline Foundation, Inc. in the amount of \$1,547,615.18 for the construction of the Snook Islands Public Use Facilities within the City of Lake Worth, Project No. 2010ERM02 for a period of 290 calendar days;

**B) adopt** a Resolution authorizing the Clerk of the Board to disburse \$150,000 from the Vessel Registration Fee Trust Fund to cover the costs of artificial reef portion of the public use facilities;

**C) approve** a Budget Transfer of \$150,000 in vessel registration fees in the Environmental Enhancement Non-Specific Fund from reserves to the Snook Islands Public Use Facility Project; and

**D) approve** a Budget Transfer of \$80,000 in the Natural Areas Fund from reserves to the Snook Islands Public Use Facility Project.

**SUMMARY:** This project includes the removal of a portion of the "old" Lake Worth Bridge to create an artificial reef, construction of a fishing pier, boardwalk and shade shelter, floating docks, kayak launch, seawall, as well as roadway and upland improvements at Snook Islands Natural Area in Lake Worth. Three (3) eligible bids were received for this project. A bid protest delayed this construction procurement for one (1) month. Shoreline Foundation, Inc., a Broward County company with 15% of the work to be performed by a Palm Beach County subcontractor, was the lowest responsive, responsible bidder with a bid that exceeds the established 15% Small Business Enterprise goal with 15.2% participation. The approval of the Resolution and Budget Transfers will provide \$230,000 to cover costs of the artificial reef component of the project and other ancillary costs for an estimated total project cost of \$1,610,651. Remaining funding comes from Florida Inland Navigation District and the \$25M Parks and Cultural Facilities 2003 Bond Fund. District 3 (JM)

3. Staff recommends motion to approve: an Application for Designation of the Pine Glades Natural Area as part of the Florida Greenways and Trails System. **SUMMARY:** The Florida Greenways and Trails designation program was established to further the purposes, goals, and objectives of the Florida Greenways and Trails System; ensure an inclusive and interconnected system of greenways and trails; encourage voluntary partnerships in conservation, development and management of system components; provide recognition for individual components of the system and those partners involved; and raise public awareness of the conservation and recreation benefits of the system components. In order to become a designated Florida Greenway and/or Trail, the designated land or waterway must protect and/or enhance natural, recreational, cultural or historic resources; and provide linear open space, a hub or a site; or promote connectivity between or among conservation lands, communities, parks, other recreational facilities, cultural sites, or historic sites. As specified in the Board-approved management plan, the purpose of the Pine Glades Natural Area is to protect, restore and maintain the existing natural and historic resources, and to provide passive recreational opportunities. The natural area will provide hiking trail connectivity between the Jupiter Farms residential community to the east and conservation lands to the west and north. If approved, the Florida Greenways and Trail designation is not expected to require any restoration/management activities or public use facilities beyond those identified in the Board-approved management plan, therefore, the designation is not expected to have any fiscal impact. District 1 (SF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. **Staff recommends motion to approve:** First Amendment to Tri-Party Agreement with the City of Boca Raton and The Children's Museum, Inc., for funding of the design and construction of the Rickards House at the Children's Museum of Boca Raton campus to extend the project completion date from January 12, 2011, to December 31, 2011. **SUMMARY:** This First Amendment to Agreement (R2009-0123) provides an extension of the Project completion date from January 12, 2011, to December 31, 2011. The funding amount of \$330,000 remains unchanged. The Amendment also includes Inspector General requirements, as now required in all County contracts. Funding is from the 2002 Recreational and Cultural Bond. The Project is one hundred percent funded by the County. District 4 (PK)
  
2. **Staff recommends motion to receive and file:** executed Entertainment Contractor Agreements received during the months of October, November, and December of 2010:
  - A)** Tom Magri, Entertainment 2 Nite Band Concert, Seabreeze Amphitheater for October 2, 2010, in an amount not-to-exceed \$900 (in expenditures);
  - B)** NHS Consulting, Inc., 100 Proof Band Concert, Canyon Town Center Amphitheater for October 23, 2010, in an amount not-to-exceed \$800 (in expenditures);
  - C)** Howard Bernstein, Baby Boomers Band Concert, Canyon Town Center Amphitheater for November 6, 2010, in an amount not-to-exceed \$700 (in expenditures); and
  - D)** S. Norwood Thornton, Magician, Canyon Town Center Amphitheater for December 11, 2010, in an amount not-to-exceed \$900 (in expenditures).**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Entertainment Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 2009-1109, and are now being submitted to the Board to receive and file. Districts 1 & 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. Staff recommends motion to receive and file: executed Amphitheater Rental Agreements received during the months of October, November, and December of 2010:

**A)** AEG Live SE, LLC; The Flaming Lips, Sunset Cove Amphitheater for the period October 16, 2010, through October 17, 2010, in an amount not-to-exceed \$12,000 (in revenue);

**B)** Boca Raton Dog Club, Inc.; AKC All Breed Champion Dog Show, Sunset Cove Amphitheater for the period October 29, 2010, through October 30, 2010, in an amount not-to-exceed \$1,225 (in revenue);

**C)** The Leukemia & Lymphoma Society; Light the Night Walk, Sunset Cove Amphitheater for November 6, 2010, in an amount not-to-exceed \$1,475 (in revenue);

**D)** Guanabanas Restaurant, Inc.; Jupiter Fall Classic Kickoff Party, Seabreeze Amphitheater for the period November 19, 2010, through November 20, 2010, in an amount not-to-exceed \$4,800 (in revenue);

**E)** Cornerstone Bible Fellowship Inc.; Christmas Outreach, Canyon Town Center Amphitheater for December 4, 2010, in an amount not-to-exceed \$412 (in revenue); and

**F)** Jewish Community Centers of the Greater Palm Beaches; Community Hanukkah Celebration, Canyon Town Center Amphitheater for December 5, 2010, in an amount not-to-exceed \$412 (in revenue).

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Amphitheater Rental Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 2009-0335, amended by Resolution 2009-1807, and are now being submitted to the Board to receive and file. Districts 1 & 5 (AH)

N. LIBRARY

1. Staff recommends motion to:

**A) receive and file** Grant Agreement in the amount of \$860,305 awarded by the Florida Department of State, Division of Library and Information Services for FY 2011 State Aid to Libraries and;

**B) approve** a downward Budget Amendment of \$28,772 in the County Library Fund to reconcile the State Aid to Libraries Grant Budget to the actual award amount.

**SUMMARY:** The Application was approved and the Agreement was signed by the Board of County Commissioners on September 14, 2010 (R2010-1444 and R2010-1445). Notification of the award was issued on December 20, 2010. The State provides an annual operating grant to eligible libraries based upon their annual operating expenditures from local funds. Estimated State Aid revenue was included in the County Library's FY 2011 budget. Countywide (TKF)



3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve:

**A)** waiver of prohibited relationship for Michele Carter and Thomas Bell of Gulfstream Goodwill Industries, Inc., who serve as advisory board members on the Homeless Advisory Board;

**B)** a Grant Adjustment Notice from the Florida Department of Law Enforcement (FDLE) to extend the expiration date from September 30, 2010, to June 30, 2011; and

**C)** the First Amendment to the Interlocal Agreement (R2010-0925; dated June 8, 2010) with Gulfstream Goodwill Industries, Inc. The First Amendment will extend the Interlocal Agreement from September 30, 2010, to June 30, 2011 for \$60,000.

**SUMMARY:** Michele Carter and Thomas Bell are employees of Gulfstream Goodwill Industries, Inc. and are also members of the Palm Beach County Homeless Advisory Board. Per the County's Code of Ethics, this may be perceived as a prohibited relationship and Ms. Carter and Mr. Bell are disclosing this and requesting a waiver under the requirements of the Code. Staff recommends approval of the waiver. Palm Beach County has received a direct award of \$1,246,822 as part of the FY 2009 American Recovery and Reinvestment Act - Justice Assistance Grant (JAG): Local Solicitation. This award was received and filed by the Board of County Commissioners on October 6, 2009 as R2009-1700. Gulfstream Goodwill Industries, Inc. is working to bridge a large gap in services in the Glades. Gulfstream Goodwill Industries, Inc. proposes intensive case management and job development services to ex-offenders returning from the County Jail and from the State Department of Corrections. There is no match requirement for the Byrne Grant. Countywide (GB)

2. Staff recommends motion to approve: the Fifth Amendment to the Interlocal Agreement with the City of Riviera Beach (R2005-2435), for \$57,541 for the period from October 1, 2010, to September 30, 2011 to support the City of Riviera Beach "weed and seed" efforts. **SUMMARY:** The Criminal Justice Commission recommends the use of \$57,541 from the Criminal Justice Reserve Fund for the continuation of "seeding" services and to extend the existing contract period to September 30, 2011. District 7 (GB)

3. Staff recommends motion to approve:

**A)** the First Amendment to Interlocal Agreement (R2010-1305) with the City of Riviera Beach to extend the expiration date from September 30, 2010, to June 30, 2011 to support community policing activities in Riviera Beach for \$47,756; and

**B)** the Grant Adjustment Notice from Florida Department of Law Enforcement to extend the expiration date from September 30, 2010, to June 30, 2011.

**SUMMARY:** The Criminal Justice Commission recommends the use of \$47,756 from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for the continuation of "seeding" services that involve law enforcement intervention and prevention. The grant application was executed by the Board of County Commissioners on August 18, 2009 as Resolution R2009-1314. Delay in the execution of the original contract created the need for additional time for this project thus extending the expenditure of the complete grant amount. There is no match requirement for JAG funds. District 7 (GB)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

4. Staff recommends motion to approve:

**A)** the Fifth Amendment to the Interlocal Agreement (R2010-1303) with the City of West Palm Beach to extend the expiration date from September 30, 2010, to March 31, 2011 for \$98,900 to support “weed and seed” efforts with the Florida Department of Law Enforcement; and

**B)** the Grant Adjustment Notice from Florida Department of Law Enforcement to extend the expiration date from September 30, 2010, to March 31, 2011.

**SUMMARY:** The Criminal Justice Commission recommends utilization of \$98,900 from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for the continuation of “seeding” services and to extend the existing contract period to March 31, 2011. The grant application was executed by the Board of County Commissioners on August 18, 2009 as Resolution R2009-1314. By way of historical perspective, the Second Amendment and thus the Third Amendment and Fourth Amendment were erroneously numbered. There is no match requirement for JAG funds. District 7 (GB)

5. Staff recommends motion to approve:

**A)** a Grant Adjustment Notice from the Florida Department of Law Enforcement to extend the expiration date from September 30, 2010, to March 31, 2011 for \$98,897;

**B)** the Fourth Amendment to the Weed and Seed Interlocal Agreement with the City of Delray Beach (R2005-2433; dated December 20, 2005) to extend the weed and seed period from September 30, 2009, to March 31, 2011 and to increase the amount of the agreement by an additional \$98,897; and

**C)** Budget Amendment of \$98,897 in the General Fund to establish funds for this program.

**SUMMARY:** The Criminal Justice Commission (CJC) recommends the use of \$98,987 from the Recovery Act Edward Byrne Memorial Justice Assistance Grant Program for the continuation of “seeding” services and to extend the existing contract period to March 31, 2011. This was originally submitted for the 2009-2010 fiscal year but due to exigent circumstances it was not approved by all parties until one (1) year later. During this time the CJC, the City of Delray Beach, and FDLE have been working on this approval process. It has now been granted retroactive to October 1, 2009 and extended to March 31, 2011. No match is required. District 7 (GB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

- 1. **Staff recommends motion to approve:** on-going donations of surplus Palm Beach County computers to the Palm Beach Broadband “Digital Divide” program. **SUMMARY:** These used computers will be refurbished at Palm Beach County Schools by students and then provided to low-income members of the community who currently do not have computers at home. Eligible families are identified by the School District of Palm Beach County using the ‘free and reduced lunch’ program and other criteria. This computer refurbishment program has been in existence for a number of years and represents a positive utilization of recycled Palm Beach County Government assets. These computers are normally transferred to the County warehouse at the Vista Center, where they are packaged in bulk on pallets and placed for auction. It is estimated that the Digital Divide program would be able to utilize approximately 30% of the surplus desktop PCs turned into the Office of Financial Management & Budget’s Fixed Asset Management Office each year. This program involves the collaborative efforts of Members of the Palm Beach Broadband Coalition, including the County’s Information Systems Services (ISS) Department. Countywide (PK)

Z. RISK MANAGEMENT

- 1. **Staff recommends motion to approve:** purchase of a new three (3) year Master Builders Risk Insurance Program (“MBRIP”) insurance policy to replace the one that is expiring. This policy will be purchased through the County’s contracted broker, Arthur J. Gallagher & Co., under Contract No. 10-042R/LJ, for a total cost not-to-exceed \$310,000. **SUMMARY:** The MBRIP, from the Lexington Insurance Company, provides coverage for reported construction and renovation projects commencing on or after the effective date of the policy. All projects with total costs of \$5,000,000 or less that are reported to the insurer during the policy period are covered at a flat premium of \$300,000 plus applicable Florida taxes and fees. Projects with total costs in excess of \$5,000,000 and commencing during the three (3) year policy period can be added, at the option of the County, to the policy. The additional cost for each of these large projects is based on the “total cost” of the project, the duration of the project and the type of construction. The rates vary by construction type and are guaranteed in advance for the three (3) year policy period. Countywide (TKF)

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4. PUBLIC HEARINGS – 9:30 A.M. (Motion to receive and file: Proof of publication)

- A. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 21 of the Palm Beach County Code (Ordinance 2004-022) pertaining to parks and recreation; amending Section 21-17 of the Palm Beach County Code (authority of the Director of Parks and Recreation); amending Section 21-18 of the Palm Beach County Code (definitions); amending Section 21-19 of the Palm Beach County Code (regulation of vehicles within parks); amending Section 21-23 of the Palm Beach County Code (control of nuisance animals); amending Section 21-25 of the Palm Beach County Code (boating); amending Section 21-27 of the Palm Beach County Code (fishing); amending Section 21-28 of the Palm Beach County Code (firearms); amending Section 21-31 of the Palm Beach County Code (horseback riding); amending Section 21-32 of the Palm Beach County Code (animals); amending Section 21-33 of the Palm Beach County Code (alcoholic beverages); amending Section 21-36 of the Palm Beach County Code (commercial activities); amending Section 21-37 of the Palm Beach County Code (reserved park/facility areas); providing for savings clause; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date.

**SUMMARY:** Staff has determined it is necessary to amend Chapter 21, Article 2 of the Palm Beach County Code (Parks and Recreation) to conform to state law and provide for better management of park property. In addition to several administrative modifications, the proposed Code changes will:

- Identify the Parks and Recreation Director's designee as the Assistant Director of Parks and Recreation;
- Clarify the definition of exotic animals and update the code reference for dangerous dogs prohibited from park property;
- Better define Parks and Recreation areas to include water bodies located within or adjacent to the Atlantic Intracoastal Waterway, Lake Worth Lagoon and Atlantic Ocean;
- Identify boater exclusion zones within areas of Phil Foster and Peanut Island Parks;
- More clearly define fishing regulations within park property for reasons of public health, safety and welfare;
- Modify language relating to the possession of firearms within park property to conform to Florida Statutes;
- Include language pertaining to horseback riding safety in County Parks;
- Better define areas within park property which may be designated for the possession and/or consumption of alcoholic beverages; and
- Better define the prohibition of commercial activities within park property whether land-based or from the water without authorization. Countywide (AH)

4. PUBLIC HEARINGS – 9:30 A.M. CONTINUED

- B. **Staff recommends motion to approve:** an Amendment to Tequesta Fire Rescue’s Certificate of Public Convenience and Necessity (COPCN) correcting and updating prior service areas to include four (4) geographical areas, to Tequesta Fire Rescue’s COPCN. **SUMMARY:** On December 21, 2010, the Public Safety Department through its Emergency Medical Services (EMS) Office submitted a request to approve the renewal of eleven (11) COPCN’s. The Village of Tequesta’s area of service needs to include the following four (4) geographical areas: Area 1: all parcels south of the Village of Tequesta’s municipal border, east of Point Drive/Rio Vista Drive along the Loxahatchee River, and back north along Rio Vista Drive to the Tequesta border line. Area 2: all parcels not within the Village of Tequesta’s municipal boundary: east of Country Club Drive, south to Tequesta Drive, east to the Loxahatchee River, and back north to the Tequesta line. Area 3: all parcels not within the Village of Tequesta’s municipal boundary, east of the Loxahatchee River, south to the Tequesta line (just north of North Dover Road), east to the Tequesta line (just west of Gardens Street), and back north to the Tequesta line. Area 4: All parcels within the City limits of Jupiter, south of the Village of Tequesta’s boundary line, east to the FEC railroad tracks, south to the Loxahatchee River, and back north along the Loxahatchee River to the Tequesta Line. Countywide (GB)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to approve: the proposed 2012 Federal Legislative Program. **SUMMARY:** Staff requests the Board approval of the proposed FY 2012 Federal Legislative Program, which includes priority appropriations and legislative issues, general appropriations and general issues to monitor. The Federal Legislative Agenda outlines issues the County's Legislative Affairs Department, in conjunction with the County's federal lobbyist, will be working on for the upcoming Congressional session. Countywide (DW)
  
2. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, urging the Legislature of the State of Florida to enact a ban on large capacity ammunition feeding devices including a magazine, belt, drum, feed strip, or similar device that has the capacity of, or can be readily restored or converted to accept, more than 21 rounds of ammunition. This ban includes the transfer, possession, or manufacturing of such devices in the State of Florida. **SUMMARY:** The federal ban on large capacity ammunition feeding devices (LCAFD) and Semi-Automatic Weapons expired on September 13, 2004. Since that time, several states have enacted bans on LCAFD because of their potential to inflict tremendous harm such as the tragedies in Tucson, Arizona, and Columbine, Colorado. By banning LCAFD, the capacity and lethality of a firearm is significantly reduced; thus proving more effective than simply banning assault weapons. Therefore, the Board of County Commissioners of Palm Beach County urges the Legislature to consider and support legislation that would ban LCAFD with a capacity of 21-rounds or greater. Countywide (DW)
  
3. Staff recommends motion to:  
  

**A) conceptually approve** a local economic development incentive in the amount of \$136,400 for Chromalloy Gas Turbine, LLC; and

**B) adopt** a Resolution by the Board of County Commissioners of Palm Beach County (BCC), Florida, conceptually approving \$36,400 of the \$136,400 as a portion of the local match for a State Qualified Target Industry (QTI) Grant.

**SUMMARY:** Chromalloy Gas Turbine, LLC. is a foreign limited liability corporation which supplies advanced repairs, Federal Aviation Administration approved replacement parts and maintenance, repair and overhaul for gas turbines and related equipment used in aviation and land based applications. The company is considering a local office in Palm Beach Gardens. The company will create 52 jobs by December 31, 2013, with an average annual salary of \$88,000, excluding benefits. The Regional Economic Model, Inc. results estimate that Chromalloy Gas Turbine, LLC. will have a \$15 million economic impact over a five (5) year period, generating \$1 million in Federal, State and local taxes. The company has secured a total of \$791,200 from the State of Florida and \$272,800 in total local funding including \$136,400 from the City of Palm Beach Gardens and \$136,400 from Palm Beach County. The BCC directed staff to bring qualified companies to the Board for consideration. If the Company decides to locate in Palm Beach County, a Job Growth Incentive Agreement will be brought to the BCC for approval. Palm Beach County's economic development incentive will be payable over three (3) years with an estimated disbursement schedule of \$45,467 in FY 2011 and FY 2012 and \$45,466 in FY 2013. Funding will come from General Fund Contingency Reserves. District 1 (DW)

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

4. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on March 15, 2011 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, amending Ordinance 2003-004, as amended by Ordinance 2004-002, the Palm Beach County Living Wage Ordinance; amending Section 3 Living Wage; providing for captions; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for effective date. **SUMMARY:** This amendment to the Palm Beach County Living Wage Ordinance provides for the living wage rate to be maintained at the current hourly rate through September 30, 2013, and for the current hourly rate to be used as the basis for calculating the living wage rate adjustment effective October 1, 2013. Countywide (EC)



5. REGULAR AGENDA

B. PALM TRAN

1. Staff recommends motion to approve: staff recommendations regarding several issues in preparation for issuance of a new Request for Proposals (RFP) for the operation of Connection Service that will begin in February 2012. **SUMMARY:** Palm Tran has provided Para-Transit service to Palm Beach County residents since October 2000 when Connection was established. In February 2005, Palm Tran entered into a seven (7) year contract with two (2) primary private vendors: MV Transportation, and Palm Beach Metro, who are responsible for 94% of the service. The existing contracts are due to expire in a year and staff seeks Board concurrence in regard to the development of a new RFP. Staff has met with and gathered public input at three (3) separate meetings of the Palm Tran Service Board (PTSB) and from the Para-Transit Subcommittee of the PTSB. All the recommendations contained in Item No. 2 were discussed and received PTSB concurrence. Further, they endorsed the recommendation that Connection continue to take and schedule all customer reservation requests.

The items described below would each have an impact on how Connection service is operated. The recommendations are intended to provide details on items staff is seeking direction on. Staff will make a presentation on each item that is further described in Attachment 1 of the Agenda Item.

1) In-House vs. Privatization – staff examined the impacts of bringing service in-house with Palm Tran operating Connection service and with Palm Tran operators/mechanics, as we do for fixed route. We examined the potential benefits and whether the cost of doing this would be more expensive than continuing to contract the service out. Staff compared the FY 2010 actual operating costs versus bringing the operation of the service in-house, and found that in-house operation would be over \$1.5 million a year more than our actual vendor costs. Given the projected higher costs of using this method of operation, staff is unable to recommend this action.

2) Potential Cost Saving Measures – if we issue an RFP to continue the requirements as we currently operate service, staff does not expect lower cost proposals from vendors. In fact, costs may significantly increase; however, by modifying certain requirements we believe that we can achieve lower cost proposals from the vendors, without negative impact to our customers. Staff recommends the following modifications to current Palm Tran Connection methods of operation for inclusion in the RFP:

a) Having One Primary Vendor vs. Two Vendors (as we do now) – staff recommends having a single (one prime) vendor as this would provide the greatest economic incentive for any vendor, and should provide the greatest cost savings for the County;

b) Allow for greater flexibility in service delivery – by allowing for a greater use of subcontractors and independent contractors (including taxis), we believe there is a strong potential to achieve significant cost savings in the operation of service, without a negative impact to our customers;

c) Allow for use of sedans and other non-ambulatory vehicles - currently all vehicles used must be wheelchair accessible vehicles with the smallest size being minivans. Our experience has shown that approximately 25% of the vehicles used could be smaller, non-accessible vehicles to accommodate ambulatory customers, which should serve to reduce both vendor and County costs; and

d) Allow limited advertising on the rear of the vehicles used for Palm Tran Connection service. Palm Tran annually receives approximately \$400,000 in revenue for allowing advertising on buses. Allowing advertising on Connection vehicles should prove to be another source of revenue that can be used to offset the County's cost of providing this service. Countywide (DR)



5. REGULAR AGENDA

C. PUBLIC SAFETY

- 1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners encouraging the Florida State Legislature to pass legislation that would allow local governments to conduct a national background check on commercial vehicle for hire drivers. **SUMMARY:** Commissioner Shelley Vana requested staff to prepare a resolution for consideration by the Board of County Commissioners which would urge the state legislature to amend Sections 125.5801 and 166.0442, Florida Statutes, enabling local governments to perform national background checks on commercial vehicle for hire drivers. Currently only a Florida Department of Law Enforcement background check is performed on vehicle for hire drivers. A complete national background check would capture crimes committed in other states as well. The Miami-Dade Board of County Commissioners has previously approved a similar resolution encouraging the state legislature to take this action. Countywide (GB)

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6. BOARD APPOINTMENTS

A. ADMINISTRATION  
(Small Business Assistance Advisory Committee)

1. Staff recommends motion to approve: appointment of two (2) individuals to the Small Business Assistance (SBA) Advisory Committee, for the terms indicated below:

<u>NOMINEE</u>	<u>SEAT</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
John Elliott	1	Certified Black Business Owner	2/15/2011 – 2/14/14	Comm. Marcus Comm. Burdick Comm. Taylor Comm. Aaronson
Yvette Trelles	5	Business Owner Domiciled in PBC	2/15/2011 – 2/14/14	Comm. Marcus Comm. Burdick Comm. Taylor <u>Comm. Aaronson</u>

**SUMMARY:** The SBA Advisory Committee is established pursuant to Section 2.80.32, of the Palm Beach County Code. The committee consists of fourteen (14) members representing one (1) black business owner certified as a small business by the County; one (1) Hispanic business owner certified as a small business by the County; one (1) woman business owner certified as a small business by the County; one (1) while male business owner certified as a small business by the County; one (1) business owner domiciled in Palm Beach County; one (1) representative of the Palm Beach County Resource Center; one (1) representative of the Hispanic Chamber of Commerce; one (1) representative of the National Association of Women in Construction; one (1) representative of a Women’s Business Organization; one (1) certified minority contractor; one (1) representative of the Associated General Contractors of America; one (1) representative of the Small Business Development Center; one (1) representative of the Business Loan Fund of the Palm Beaches; and one (1) representative of the Black Chamber of Commerce. Seat 1 is vacant due to the expiration of the board appointment and the incumbent did not wish to be reappointed. Seat 5 is vacant due to the expiration of the board appointment. The SBA Advisory Committee supports the nominations. A memo was sent to the Board of County Commissioners on January 18, 2011 requesting approval of the recommended slate. No other nominations were received. Countywide (TKF)

B. COMMISSION DISTRICT APPOINTMENTS

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**FEBRUARY 15, 2011**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**FEBRUARY 15, 2011**

**8. COMMISSIONER COMMENTS**

**A. District 1 - COMMISSIONER KAREN T. MARCUS, CHAIR**

**B. District 2 – COMMISSIONER PAULETTE BURDICK**

**C. District 3 - COMMISSIONER SHELLEY VANA, VICE CHAIR**

**D. District 4 – COMMISSIONER STEVEN L. ABRAMS**

**E. District 5 - COMMISSIONER BURT AARONSON**

**F. District 6 - COMMISSIONER JESS R. SANTAMARIA**

**G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR**

**9. ADJOURNMENT**

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

BOARD OF COUNTY COMMISSIONERS  
BOARD MEETING  
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

FEBRUARY 15, 2011

<u>PAGE</u>	<u>ITEM</u>	
8	3C-5	<b><u>DELETED:</u></b> Staff recommends motion to approve: A) a Contract with Community Asphalt Corp. (Community), in the amount of \$3,887,306.04 for the construction of Northlake Boulevard over the Loxahatchee Slough (Project); and...(Engineering) (Further staff review)
19	3U-1	<b><u>DELETED:</u></b> Staff recommends motion to approve: on-going donations of surplus Palm Beach County computers to the Palm Beach Broadband “Digital Divide” program. (ISS) (Further staff review)
21	4B	<b><u>DELETED:</u></b> Staff recommends motion to approve: an Amendment to Tequesta Fire Rescue’s Certificate of Public Convenience and Necessity (COPCN) correcting and updating prior service areas to include four (4) geographical areas, to Tequesta Fire Rescue’s COPCN. (Public Safety) (Further staff review)
22	5A-2	<b><u>REVISED SUMMARY:</u></b> The federal ban on large capacity ammunition feeding devices (LCAFD) and Semi-Automatic Weapons expired on September 13, 2004. Since that time, several states have enacted bans on LCAFD because of their potential to inflict tremendous harm such as the tragedies in Tucson, Arizona, and Columbine, Colorado. <u>Studies have shown that bans on LCAFD</u> <del>By banning LCAFD, the capacity and lethality of a firearm is significantly reduced the capacity and lethality of a firearm. thus proving more effective than simply banning assault weapons.</del> Therefore, the Board of County Commissioners of Palm Beach County urges the Legislature to consider and support legislation that would ban LCAFD with a capacity of 21-rounds or greater. <u>Countywide</u> (DW) (Admin/Leg. Affairs)
22	5A-3	<b><u>REVISED MOTION &amp; TITLE:</u></b> Staff recommends motion to:  A) <del>conceptually approve</del> a local economic development incentive in the amount of \$136,400 for Chromalloy Gas Turbine, LLC.; and  B) <b>adopt</b> a Resolution by the Board of County Commissioners of Palm Beach County (BCC), Florida, <del>conceptually</del> approving \$36,400 of the \$136,400 as a portion of the local match for a State Qualified Target Industry (QTI) Grant. (Admin/EDO)

**NOTE:** Items that were revised, added, deleted, or backup submitted and were not listed on the preliminary addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (\*).